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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>		<b>Attorney Docket Number</b>	1946/1G527US1
		<b>First Named Inventor</b>	David Gschneidner
<b>COMPLETE IF KNOWN</b>			
		<b>Application Number</b>	
		<b>Filing Date</b>	
		<b>Art Unit</b>	N/A
		<b>Examiner Name</b>	Not Yet Assigned
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing		<input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	
OR			

**As the below named inventor, I hereby declare that:**

**My residence, mailing address, and citizenship are as stated below next to my name.**

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

# COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS

*(Title of the Invention)*

the specification of which

is attached hereto

OR

was filed on **12/18/2000** as United States Application Number or PCT International Application No.

CT/US00/34329 and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
60/171,213	US	12/16/1999	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Express Mail Label No. \_\_\_\_\_ Dated: \_\_\_\_\_

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## DECLARATION — Utility or Design Patent Application

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Name DARBY & DARBY P.C.  
Jay P. Lessler

Address P.O. Box 5257

City New York	State NY	ZIP 10150-5257
Country US	Telephone (212) 527-7700	Fax (212) 753-6237

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195, Jay P. Lessler #41,151, all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:
DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022	Jay P. Lessler 212-527-7700

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	David	Family Name or Surname	Gschneidner
--	-------	------------------------	-------------

Inventor's Signature	Date
----------------------	------

Residence: City Stamford	State CT	Country	Citizenship US
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Mailing Address:	44 Cerretta Street Apt. 6
------------------	------------------------------

City Stamford	State CT	ZIP 06907	Country
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NAME OF SECOND INVENTOR:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Andrea	Family Name or Surname	Leone-Bay
--	--------	------------------------	-----------

Inventor's Signature	Date
----------------------	------

Residence: City Ridgefield	State CT	Country	Citizenship US
----------------------------	----------	---------	----------------

Mailing Address:	20 Woodland Way
------------------	-----------------

City Ridgefield	State CT	ZIP 06877	Country
-----------------	----------	-----------	---------

Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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<b>DECLARATION</b>			<b>ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1</b>	
<b>Name of Additional Joint Inventor, if any:</b>			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name (first and middle [if any])</b> Eric			<b>Family Name or Surname</b> Wang	
<b>Inventor's Signature</b>			<b>Date</b>	
<b>Residence: City</b> Ellicott City	<b>State</b> MD	<b>Country</b>	<b>Citizenship</b> US	
<b>Mailing Address:</b> 9930 Timberknoll Lane				
<b>City</b> Ellicott City	<b>State</b> MD	<b>ZIP</b> 21042	<b>Country</b>	
<b>Name of Additional Joint Inventor, if any:</b>			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name (first and middle [if any])</b> John J.			<b>Family Name or Surname</b> Freeman	
<b>Inventor's Signature</b>			<b>Date</b>	
<b>Residence: City</b> New Fairfield	<b>State</b> CT	<b>Country</b>	<b>Citizenship</b> US	
<b>Mailing Address:</b> 6 Topstone Road				
<b>City</b> New Fairfield	<b>State</b> CT	<b>ZIP</b> 06812	<b>Country</b>	
<b>Name of Additional Joint Inventor, if any:</b>			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name (first and middle [if any])</b> Doris C.			<b>Family Name or Surname</b> O'Toole	
<b>Inventor's Signature</b> <i>New Fairfield</i>			<b>Date</b> <i>June 15, 2002</i>	
<b>Residence: City</b> Carmel	<b>State</b> NY	<b>Country</b>	<b>Citizenship</b> US	
<b>Mailing Address:</b> 33 Lakeview Road				
<b>City</b> Carmel	<b>State</b> NY	<b>ZIP</b> 10512	<b>Country</b>	
<b>Name of Additional Joint Inventor, if any:</b>			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name (first and middle [if any])</b> Lynn			<b>Family Name or Surname</b> Shields	
<b>Inventor's Signature</b>			<b>Date</b>	
<b>Residence: City</b> Port Chester	<b>State</b> NY	<b>Country</b>	<b>Citizenship</b> US	
<b>Mailing Address:</b> 85 Birch Street				
<b>City</b> Port Chester	<b>State</b> NY	<b>ZIP</b> 10573	<b>Country</b>	

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Freeman,  
Gschneidner

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OR

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First Named Inventor	David Gschneidner
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Art Unit	N/A
Examiner Name	Not Yet Assigned

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Name **DARBY & DARBY P.C.**  
**Jay P. Lessler**

Address **P.O. Box 5257**

City <b>New York</b>	State <b>NY</b>	ZIP <b>10150-5257</b>
Country <b>US</b>	Telephone <b>(212) 527-7700</b>	Fax <b>(212) 753-6237</b>

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**DARBY & DARBY P.C.** Jay P. Lessler  
805 Third Avenue 212-527-7700  
New York, NY 10022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	<b>David</b>	Family Name or Surname	<b>Gschneidner</b>
---	--------------	---------------------------	--------------------

Inventor's Signature <i>David Gschneidner</i>	Date <b>6/14/02</b>		
Residence: City <b>Stamford</b>	State <b>CT</b>	Country	Citizenship <b>US</b>

Mailing Address:	44 Cerretta Street Apt. 6		
City <b>Stamford</b>	State <b>CT</b>	ZIP <b>06907</b>	Country

NAME OF SECOND INVENTOR:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	<b>Andrea</b>	Family Name or Surname	<b>Leone-Bay</b>
---	---------------	---------------------------	------------------

Inventor's Signature <i>Andrea Leone-Bay</i>	Date <b>6-16-02</b>		
Residence: City <b>Ridgefield</b>	State <b>CT</b>	Country	Citizenship <b>US</b>

Mailing Address:	20 Woodland Way		
City <b>Ridgefield</b>	State <b>CT</b>	ZIP <b>06877</b>	Country

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Given Name (first and middle [if any])		Eric	Family Name or Surname	Wang
Inventor's Signature		Date		
Residence: City	MD	Country	US	
Mailing Address:	Ellicott City MD 21042 Country			
City	State	ZIP	Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		John J.	Family Name or Surname	Freeman
Inventor's Signature		Date 6/17/02		
Residence: City	CT	Country	US	
Mailing Address:	6 Topstone Road			
City	State	ZIP	Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Doris C.	Family Name or Surname	O'Toole
Inventor's Signature		Date		
Residence: City	NY	Country	US	
Mailing Address:	Carmel NY 10512 Country			
City	State	ZIP	Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Lynn	Family Name or Surname	Shields
Inventor's Signature		Date		
Residence: City	NY	Country	US	
Mailing Address:	Port Chester NY 10573 Country			
City	State	ZIP	Country	

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## "Shields"

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Approved for use through 10/07/2026. GPO 2021-0832

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		<b>First Name Inventor</b>	David Gschneidner
<b>COMPLETE IF KNOWN</b>			
		<b>Application Number</b>	
		<b>Filing Date</b>	
		<b>Art Unit</b>	N/A
		<b>Examiner Name</b>	Not Yet Assigned
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NAME OF SOLE OR FIRST INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
---------------------------------	---

Given Name (first and middle [if any])	<b>David</b>	Family Name or Surname	<b>Gschneidner</b>
---	--------------	---------------------------	--------------------

Inventor's Signature	Date		
Residence: City <b>Stamford</b>	State <b>CT</b>	Country	Citizenship <b>US</b>

Mailing Address:	44 Cerretta Street Apt. 6		
City <b>Stamford</b>	State <b>CT</b>	ZIP <b>06907</b>	Country

NAME OF SECOND INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
--------------------------	---

Given Name (first and middle [if any])	<b>Andrea</b>	Family Name or Surname	<b>Leone-Bay</b>
---	---------------	---------------------------	------------------

Inventor's Signature	Date		
Residence: City <b>Ridgefield</b>	State <b>CT</b>	Country	Citizenship <b>US</b>

Mailing Address:	20 Woodland Way		
City <b>Ridgefield</b>	State <b>CT</b>	ZIP <b>06877</b>	Country

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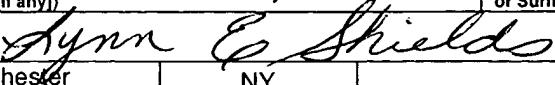
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Given Name (first and middle [if any])		Eric	Family Name or Surname	Wang
Inventor's Signature				
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Inventor's Signature				
Residence: City	NY	Country	Date 6/17/02	
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OR

 was filed on 12/18/2000 as United States Application Number or PCT International Application No.PCT/US00/34329 and was amended on   (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	YES	NO
60/171,213	US	12/16/1999	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Express Mail Label No. \_\_\_\_\_ Dated: \_\_\_\_\_

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PTO/SB/01 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:  Customer Number  
or Bar Code Label   OR  Correspondence address below

Name **DARBY & DARBY P.C.**  
Jay P. Lessler

Address **P.O. Box 5257**

City	New York	State	NY	ZIP	10150-5257
Country	US	Telephone	(212) 527-7700		
		Fax	(212) 753-6237		

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewin #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195, Jay P. Lessler #41,151, all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:
DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022	Jay P. Lessler  212-527-7700

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
---------------------------------	---

Given Name (first and middle [if any])	David	Family Name or Surname	Gschneidner
---	-------	---------------------------	-------------

Inventor's Signature	Date
-------------------------	------

Residence: City	Stamford	CT State	Country	US Citizenship
-----------------	----------	-------------	---------	-------------------

Mailing Address:	44 Cerretta Street Apt. 6			
---------------------	------------------------------	--	--	--

City	Stamford	CT State	ZIP	06907	Country
------	----------	-------------	-----	-------	---------

NAME OF SECOND INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
--------------------------	---

Given Name (first and middle [if any])	Andrea	Family Name or Surname	Leone-Bay
---	--------	---------------------------	-----------

Inventor's Signature	Date
-------------------------	------

Residence: City	Ridgefield	CT State	Country	US Citizenship
-----------------	------------	-------------	---------	-------------------

Mailing Address:	20 Woodland Way			
---------------------	-----------------	--	--	--

City	Ridgefield	CT State	ZIP	06877	Country
------	------------	-------------	-----	-------	---------

Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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PTO/SB/02A (11-00)

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0032

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1</b>
--------------------	--

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Eric	
Inventor's Signature		Family Name or Surname	
Residence: City		Wang	
Ellicott City		State	
MD		Country	
Citizenship		US	
Mailing Address:		9930 Timberknoll Lane	
City		ZIP	
Ellicott City		21042	
State		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		John J.	
Inventor's Signature		Family Name or Surname	
Residence: City		Freeman	
New Fairfield		State	
CT		Country	
Citizenship		US	
Mailing Address:		6 Topstone Road	
City		ZIP	
New Fairfield		06812	
State		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Doris C.	
Inventor's Signature		Family Name or Surname	
Residence: City		O'Toole	
Carmel		State	
NY		Country	
Citizenship		US	
Mailing Address:		33 Lakeview Road	
City		ZIP	
Carmel		10512	
State		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Lynn	
Inventor's Signature		Family Name or Surname	
Residence: City		Shields	
Port Chester		State	
NY		Country	
Citizenship		US	
Mailing Address:		85 Birch Street	
City		ZIP	
Port Chester		10573	
State		Country	



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16527051

JULY 02, 2003

PTAS

**Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)**

DARBY & DARBY P.C.  
JAY P. LESSLER, ESQ.  
P.O. BOX 5257  
NEW YORK, NEW YORK 10150-5257



\*102372009A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/15/2002

REEL/FRAME: 013770/0956  
NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS)

**ASSIGNOR:**  
GSCHEIDNER, DAVID

DOC DATE: 06/14/2002

**ASSIGNOR:**  
LEONE-BAY, ANDREA

DOC DATE: 06/16/2003

ASSIGNOR:  
WANG, ERIC

DOC. DATE: 06/34/2003

ASSIGNOR:  
FREEMAN, JR., JOHN T.

DOC. DATE: 06/17/2003

ASSIGNOR:  
O'TOOLE DORTS

DOC. DATE: 06/15/2002

ASSIGNOR:  
SHIELDS, LYNN E.

DOC DATE: 06/13/2002

ASSIGNEE:  
EMISPHERE TECHNOLOGIES, INC.  
765 OLD SAW MILL RIVER ROAD  
TARRYTOWN, NEW YORK 10591

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013770/0956 PAGE 2

SERIAL NUMBER: 10168275  
PATENT NUMBER:

FILING DATE: 07/15/2002  
ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

To the Honorable Commissioner of Patents and

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II documents or copy thereof.

1. Name of conveying party(ies):

David GSCHNEIDNER; Andrea LEONE-BAY; Eric WANG;  
John J. FREEMAN, Jr.; Doris O'TOOLE; Lynn E. SHIELDS

Additional name(s) of conveying party(ies) attached?  Yes  No

102372009

II receiving party(ies):

Name: EMISPHERE TECHNOLOGIES, INC.

Internal Address:

Street Address: 765 Old Saw Mill River Road

City: Tarrytown State: New York Zip:10591

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: 6/14/02; 6/16/02; 6/24/02; 6/17/02;  
6/15/02 and 6/17/02, respectively.

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

10/168,275

Additional numbers attached? 12 KARASZI

EXPRESS MAIL CERTIFICATE

B. Patent No.(s) 15/02 Label No. FM 115469994-15  
I hereby certify that, on the date indicated above, this paper or  
fee was deposited with the U.S. Postal Service & that it was  
addressed for delivery to the Assistant Commissioner for  
Patents, Washington, DC 20231 by "Express Mail Post Office  
to Addressee" service.

Yes  No

5. Name and address of party to whom correspondence  
concerning document should be mailed:

Name: Darby & Darby P.C.

Internal Address: Jay P. Lessler, Esq.

Street Address: P. O. Box 5257

City: New York State: New York Zip: 10150-5257  
07/23/2002 PAYMENT 00000026 10168275

02 FC:581

40.00 00

6. Total Number of applications and patents  
involved: 1

7. Total fee (37 CFR 3.41): ..... \$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number: 04-0100

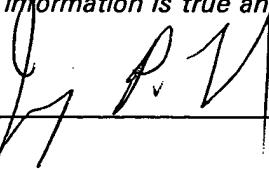
(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a  
true copy of the original document.

Jay P. Lessler, Esq. (41,151 Reg. No.)  
Name of Person Signing

Signature 

July 15, 2002  
Date

Total number of pages including cover sheet, attachments, and document: 9

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

ASSIGNMENT

I, **David Gschneidner**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 USA;

I, **Andrea Leone-Bay**, a citizen of the U.S., residing at 20 Woodland Way, Ridgefield, Connecticut 06877 USA;

I, **Eric Wang**, a citizen of the U.S., residing at 9930 Timberknoll Lane, Ellicott City, Maryland, 21042 USA;

**NEW** I, **John J. Freeman, Jr.**, a citizen of the U.S., residing at 6 Topstone Road, Fairfield, Connecticut 06812 USA;

**MM** I, **Doris O'Toole**, a citizen of the U.S., residing at 33 Lakeview Road, Carmel, New York 10512 U.S.A., and

I, **Lynn E. Shields**, a citizen of the U.S., residing at 85 Birch Street, Port Chester, New York 10573 U.S.A.

(hereinafter called the "ASSIGNORS") have made a certain invention in

**COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS**

for which an international application designating the U.S. was filed on **December 18, 2000** under **International Application No. PCT/US00/34329**; and

WHEREAS, **EMISPHERE TECHNOLOGIES, INC.**, a corporation organized and existing under and by the laws of **New York**, having a place of business at **765 Old Saw Mill River Road, Tarrytown, NY 10591** (below called the "Assignee"), is desirous of securing the entire right, title and interest, throughout the world, including priority rights, in and to the said invention, application and Letters Patent, when granted, and in and to any divisions, divisionals, continuations, improvements, reissues or extensions that may be made or granted thereon;

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by the said Assignee, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, the said Assignors have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over unto the said Assignee, its successors and assigns, all of our right, title and interest, throughout the world, including priority rights, in and to the said invention, application and Letters Patent, when granted, and in and to any divisions,

continuations, improvements, reissues or extensions that may be made or granted on any of them;

TO HAVE AND TO HOLD the same to the full end of the term or terms for which said Letters Patent may be granted, as fully and completely as the same might be held by us had this sale and assignment not been made.

For the consideration aforesaid, we hereby covenant and agree to and with the said Assignees its successors and assigns, that whenever its counsel or representative, or the counsel or representative of its successors or assigns, shall advise that an amendment to, or a division of, or any other proceeding or action in connection with said application or invention, including interference proceedings, is lawful and desirable, or that a reissue or continuation or extension of said Letters Patent is lawful and desirable, we will sign all papers and drawings, take all rightful oaths and affidavits, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue or continuation or extension of the same, will do all acts necessary or required to secure the said Assignee, its successors, and assigns, the title to and full benefit of all rights hereby assigned, without charge to said Assignees or its successors or assigns, but at its or their expense;

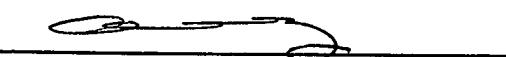
AND the Commissioner of Patents and Trademarks is requested to issue the said Letters Patent, when granted, in accordance with this sale and assignment.

We declare under penalty of perjury under the laws of the United States of America that we have signed this document as our/my own free act and that all of the foregoing is true and correct.



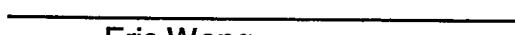
David Gschneidner

DATED: 6/14/02



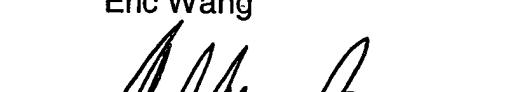
Andrea Leone-Bay

DATED: 6-16-02



Eric Wang

DATED: \_\_\_\_\_



John J. Freeman, Jr.

DATED: 6/17/02

Docket No. 1946/1G527-US1

**ASSIGNMENT**

I, **David Gschneidner**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 USA;

I, **Andrea Leone-Bay**, a citizen of the U.S., residing at 20 Woodland Way, Ridgefield, Connecticut 06877 USA;

I, **Eric Wang**, a citizen of the U.S., residing at 9930 Timberknoll Lane, Ellicott City, Maryland, 21042 USA;

*New  
per* I, **John J. Freeman, Jr.**, a citizen of the U.S., residing at 6 Topstone Road, Fairfield, Connecticut 06812 USA;

I, **Doris O'Toole**, a citizen of the U.S., residing at 33 Lakeview Road, Carmel, New York 10512 U.S.A., and

I, **Lynn E. Shields**, a citizen of the U.S., residing at 85 Birch Street, Port Chester, New York 10573 U.S.A.

(hereinafter called the "ASSIGNORS") have made a certain invention in

**COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS**

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NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by the said Assignee, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, the said Assignors have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over unto the said Assignee, its successors and assigns, all of our right, title and interest, throughout the world, including priority rights, in and to the said invention, application and Letters Patent, when granted, and in and to any divisions,

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continuations, improvements, reissues or extensions that may be made or granted on any of them;

TO HAVE AND TO HOLD the same to the full end of the term or terms for which said Letters Patent may be granted, as fully and completely as the same might be held by us had this sale and assignment not been made.

For the consideration aforesaid, we hereby covenant and agree to and with the said Assignees its successors and assigns, that whenever its counsel or representative, or the counsel or representative of its successors or assigns, shall advise that an amendment to, or a division of, or any other proceeding or action in connection with said application or invention, including interference proceedings, is lawful and desirable, or that a reissue or continuation or extension of said Letters Patent is lawful and desirable, we will sign all papers and drawings, take all rightful oaths and affidavits, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue or continuation or extension of the same, will do all acts necessary or required to secure the said Assignee, its successors, and assigns, the title to and full benefit of all rights hereby assigned, without charge to said Assignees or its successors or assigns, but at its or their expense;

AND the Commissioner of Patents and Trademarks is requested to issue the said Letters Patent, when granted, in accordance with this sale and assignment.

We declare under penalty of perjury under the laws of the United States of America that we have signed this document as our/my own free act and that all of the foregoing is true and correct.

\_\_\_\_\_  
David Gschneidner

DATED: \_\_\_\_\_

\_\_\_\_\_  
Andrea Leone-Bay

DATED: \_\_\_\_\_

\_\_\_\_\_  
Eric Wang

DATED: 6-24-02

\_\_\_\_\_  
John J. Freeman, Jr.

DATED: \_\_\_\_\_

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---

Docket No. 1946/1G527-US1

**ASSIGNMENT**

I, **David Gschneidner**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 USA;

I, **Andrea Leone-Bay**, a citizen of the U.S., residing at 20 Woodland Way, Ridgefield, Connecticut 06877 USA;

I, **Eric Wang**, a citizen of the U.S., residing at 9930 Timberknoll Lane, Ellicott City, Maryland, 21042 USA;

*New pu* I, **John J. Freeman, Jr.**, a citizen of the U.S., residing at 6 Topstone Road, Fairfield, Connecticut 06812 USA;

I, **Doris O'Toole**, a citizen of the U.S., residing at 33 Lakeview Road, Carmel, New York 10512 U.S.A., and

I, **Lynn E. Shields**, a citizen of the U.S., residing at 85 Birch Street, Port Chester, New York 10573 U.S.A.

(hereinafter called the "ASSIGNORS") have made a certain invention in

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Doris O'Toole  
Doris O'Toole

DATED:

June 15, 2002

Lynn E. Shields

DATED:

---

Docket No. 1946/1G527-US1

**ASSIGNMENT**

I, **David Gschneidner**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 USA;

I, **Andrea Leone-Bay**, a citizen of the U.S., residing at 20 Woodland Way, Ridgefield, Connecticut 06877 USA;

I, **Eric Wang**, a citizen of the U.S., residing at 9930 Timberknoll Lane, Ellicott City, Maryland, 21042 USA;

I, **John J. Freeman, Jr.**, a citizen of the U.S., residing at 6 Topstone Road,  
New Fairfield, Connecticut 06812 USA;

I, **Doris O'Toole**, a citizen of the U.S., residing at 33 Lakeview Road, Carmel, New York 10512 U.S.A., and

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